

Notice of Allowability

Application No.

10/627,102

Examiner

Syed Zia

Applicant(s)

CHINCHECK ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/07/2006.
2. ☒ The allowed claim(s) is/are 21, and 23-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

This office action is in response to amendment and argument filed on March 07, 2006. Original application contained Claims 1-20. Applicant previously cancelled Claim 1-20, and added new Claims 21-25. Applicant currently cancelled Claims 22, and 25. Therefore, presently Claims 21, and 23-24 are pending for consideration.

Claim Rejections - 35 USC § 112

Applicant amendment filed on March 07, 2006 overcomes the Claim rejection. Therefore, previous rejection under 35 U.S.C. 112 has been withdrawn.

Response to Arguments

Applicant's arguments filed on October 03, 2005, and further discussion held during personal interview dated September 12, 2005 with respect to pending Claims have been fully considered and are persuasive. Therefore, the previous rejection has been withdrawn.

Allowable Subject Matter

1. Claims 21, and 23-24 are allowed.
2. The following is an Examiner's statement of reason for allowance:

The above mentioned claims are allowable over prior art because the combined system of Admitted Prior Art of record (Kang'98) fails to teach or render obvious the claimed limitations in combination with the specific added limitations, as recited in independent Claims 21, 23-24, when analyzed in light of specification.

The Inventors explicitly disclosed on page 4 of specification that in the system of their admitted prior art Kang'98 discloses a software simulation of a network security pump that provided some boundaries on the pump algorithm by using wrappers or software that supports called applications, and the system of their Kang'98 differs from the hardware implementation of the claimed invention, as expressly claimed in independent claims 21, and 23-24.

Kang'98 does not disclose or suggest: hardware implementation of the network security pump by 1) exchanging limited status and control information between the first processor and the second processor, and 2) controlling data communication from the second network to the first network by transmitting to the interface, then transmitting to the second processor exchanging limited status and control information between the first processor and the second processor and acknowledging at the probabilistic rate the transmission from the first processor to the second processor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SZ

March 13, 2006

